

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

NEXPOINT STRATEGIC OPPORTUNITIES
FUND,

Plaintiff,

v.

ACIS CAPITAL MANAGEMENT, L.P., U.S.
BANK, N.A., JOSHUA N. TERRY,
BRIGADE CAPITAL MANAGEMENT, L.P.,

Defendants.

Case No. 1:21-cv-04384-GHW

NOTICE OF MOTION TO DISMISS

Oral Argument Requested

PLEASE TAKE NOTICE that Defendant Joshua N. Terry, by and through his undersigned counsel, will move this Court, at a date and time to be determined by the Court, for an order dismissing in its entirety Plaintiff's Second Amended Complaint with prejudice under Rule 12(b)(6) of the Federal Rules of Civil Procedure. This Motion is based on the accompanying Memorandum of Law in Support of Defendant Joshua N. Terry's Motion To Dismiss Plaintiff's Second Amended Complaint.

Dated: January 27, 2022

QUINN EMANUEL URQUHART & SULLIVAN, LLP

By: /s/ Jonathan E. Pickhardt
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CERTIFICATE OF SERVICE

The undersigned attorney certifies that on January 27, 2022, he caused a true copy of the foregoing document to be served via CM/ECF to all counsel of record.

/s/ Misha Boutilier
Misha Boutilier